

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

IN RE: JACOB MICHAEL ATWELL,

Case No. 6:08-bk-10664-ABB

Debtor.

Chapter 7

FIRST NATIONAL BANK OF OMAHA
1620 Dodge Street, Stop 3105
Omaha, Nebraska 68197,

A.P. No. 6:09-ap-00036-ABB

Plaintiff,

v.

JACOB MICHAEL ATWELL
3542 Creekside Road, Unit C
Port Orange, FL 32129,

Defendant.

FINAL JUDGMENT BY CONSENT

THIS CAUSE came on before the Court for consideration for entry of a Final Judgment in the above captioned adversary proceeding. The Court has considered the record and finds that the Defendant entered into a Stipulation (Doc # 12) with the Plaintiff, thereby consenting to the entry of a Final Judgment under certain conditions set forth in the Stipulation. This Court is satisfied that the Stipulation is fair, therefore, it is appropriate to approve same and, based on the Stipulation, enter a Final Judgment by consent in favor of the Plaintiff, and against the Defendant.

Accordingly, it is

ORDERED, ADJUDGED AND DECREED, that Final Judgment be, and the same is hereby, entered on the Complaint in favor of First National Bank of Omaha, the Plaintiff, and against Jacob Michael Atwell, the Defendant in the amount of \$5,000.00 (without interest), and the debt owed by the Defendant to the Plaintiff in the amount of \$5,000.00 (without interest), is hereby declared to be non-dischargeable pursuant to 11 U.S.C. Section 523(a)(2)(A). It is further


ORDERED, ADJUDGED AND DECREED, that pursuant to the Stipulation, the Defendant shall make payment to Plaintiff in the amount of \$5,000.00 (without interest), to be paid in one lump sum payment of \$5,000.00, be made on or by December 1, 2011. It is further

ORDERED, ADJUDGED AND DECREED, that the Plaintiff shall not place the Judgment in the Public Records and shall not take any steps to collect the debt declared to be non-dischargeable by obtaining a Writ of Execution or a Writ of Replevin or levy on any properties of the Defendant as long as the Defendant complies with the repayment terms set forth in the Stipulation. It is further

ORDERED, ADJUDGED AND DECREED, that the Plaintiff shall give a Satisfaction of Judgment to the Defendant upon the completion of the payment required by the Stipulation. It is further.

ORDERED, ADJUDGED AND DECREED, that in the event the Defendant defaults on the repayment terms, the Plaintiff is authorized to proceed to enforce the Judgment pursuant to the provisions of the applicable law.

DONE AND ORDERED, at Orlando, Florida, on November 4, 2011.



HONORABLE ARTHUR B. BRISKMAN
U.S. BANKRUPTCY JUDGE

Copies furnished to:

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